

118TH CONGRESS  
2D SESSION

# H. R. 7841

To amend title 18, United States Code, to ensure requests for data on individuals do not pertain to reproductive services.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2024

Mr. LIEU (for himself, Ms. JACOBS, Ms. ROSS, Ms. SCHOLTEN, and Mr. FROST) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to ensure requests for data on individuals do not pertain to reproductive services.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reproductive Data Pri-  
5 vacy and Protection Act”.

6 **SEC. 2. PROCEDURE FOR INTERCEPTION OF WIRE, ORAL,**  
7 **OR ELECTRONIC COMMUNICATIONS.**

8 (a) APPLICATION.—Section 2518(1) of title 18,  
9 United States Code, is amended—

1           (1) in paragraph (e), by striking “and” at the  
2       end;

3           (2) in paragraph (f), by striking the period and  
4       inserting “; and”; and

5           (3) by inserting after paragraph (f) the fol-  
6       lowing:

7       “(g) a statement affirming that the applicant will not  
8       use the contents of any wire, oral, or electronic commu-  
9       nication, including any communication with respect to re-  
10      productive or sexual health information, to initiate or con-  
11      duct an investigation into or proceeding against any per-  
12      son inquiring about, seeking, obtaining, providing, or fa-  
13      cilitating reproductive or sexual health treatment or  
14      care.”.

15       (b) ORDER.—Section 2518(4) of title 18, United  
16      States Code, is amended—

17           (1) in paragraph (d), by striking “and” at the  
18       end;

19           (2) in paragraph (e), by striking the period and  
20       inserting “; and”; and

21           (3) by inserting after paragraph (e) the fol-  
22       lowing:

23       “(f) that the applicant will not use the contents  
24       of any wire, oral, or electronic communication, in-  
25       cluding any communication with respect to reproduc-

1        tive or sexual health information, to initiate or con-  
2        duct an investigation into or proceeding against any  
3        person inquiring about, seeking, obtaining, pro-  
4        viding, or facilitating reproductive or sexual health  
5        treatment or care.”.

6        (c) DEFINITION.—Section 2518 of title 18, United  
7        States Code, is amended by adding at the end the fol-  
8        lowing:

9        “(13) In this section, the term ‘reproductive or sexual  
10       health information’ means information relating to—

11                “(A) reproductive-related surgeries or proce-  
12       dures, including abortion and in vitro fertilization;

13                “(B) the use or purchase of contraceptives,  
14       medication abortion, or any other drug, device, or  
15       materials related to reproductive health;

16                “(C) the prescription, recommendation, or dis-  
17       tribution of contraceptives, medication abortion, in  
18       vitro fertilization, or any other drug, device, or ma-  
19       terials related to reproductive health;

20                “(D) reproductive or sexual health conditions,  
21       status, diseases, or diagnoses, including pregnancy  
22       and pregnancy-related conditions, menstruation, ovu-  
23       lation, ability to conceive a pregnancy (including  
24       through in vitro fertilization), whether such indi-

1       vidual is sexually active, and whether such individual  
2       is engaging in unprotected sex; and

3               “(E) any other medical or non-medical service  
4       or care provided in conjunction with information de-  
5       scribed in subparagraphs (A) through (D).”.

6       (d) REQUIRED DISCLOSURE OF CUSTOMER COMMU-  
7       NICATIONS OR RECORDS.—Section 2703 of title 18,  
8       United States Code, is amended by adding at the end the  
9       following:

10       “(i) DISCLOSURE OF CUSTOMER COMMUNICATIONS  
11       OR RECORDS.—A government entity seeking to compel  
12       disclosure pursuant to a subpoena, court order, or warrant  
13       shall provide a statement under oath that it shall not use  
14       the contents of any wire, oral, or electronic communica-  
15       tion, including reproductive or sexual health information,  
16       for the purpose of conducting an investigation into or pro-  
17       ceeding against any person in connection with inquiring  
18       about, seeking, obtaining, providing, or facilitating repro-  
19       ductive or sexual health treatment or care.”.

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